

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

EPL OIL & GAS, LLC,

*Plaintiff,*

VS.

TRIMONT ENERGY (NOW), LLC; WHITNEY  
OIL & GAS, LLC

*Defendants.*

CIVIL ACTION NO.: 6:22-CV-208

## DECLARATION OF BENJAMIN MARCHIVE, II

My name is Benjamin Marchive, II. I am Vice President, Land for EPL Oil & Gas, LLC. I am over the age of 18 and I am otherwise competent to make this declaration. I make this declaration of my own personal knowledge and my familiarity with my employer's business records.


1. I am familiar with the Purchase and Sale Agreement dated June 30, 2015 (the "PSA") between EPL Oil & Gas, Inc., as seller, and Whitney Oil & Gas, LLC, and Trimont Energy (NOW), LLC, as buyer, a copy of which was attached to EPL's Petition in this lawsuit.

2. The Devon Bonds, as identified in Section 7.08 and Schedule 7.08 of the PSA, were obtained by EPL's predecessor-in-interest, Energy Partners Ltd., in connection with its purchase of assets from Ocean Energy, Inc. via a Purchase and Sale Agreement dated January 26, 2000 (the "Ocean Energy PSA"). A true and correct copy of the Ocean Energy PSA with excerpts of attachments to the Ocean Energy PSA are attached as Ex. 1 to this Declaration.

I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signed in Houston, Texas

Dated: June 20, 2022

  
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Benjamin Marchive, II